

# **Exhibit A**



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June 14, 2018

**Via Email – EX PARTE COMMUNICATION**

The Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Courtroom 1506  
New York, New York 10007

**Gregory Morvillo**

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Re: *United States v. Galanis, et al.*, No. 16-CR-00371 (RA)

Dear Judge Abrams:

We represent Michelle Morton in the above-referenced matter. We write on an *ex parte* basis to memorialize our oral notification to the Court of Ms. Morton's intent to move to withdraw her guilty plea.

My colleague, Savannah Stevenson, spoke via telephone today with the Court's Deputy, Allison Cavale. Ms. Stevenson informed Ms. Cavale that Ms. Morton intended to seek to withdraw her guilty plea and asked for the Court's guidance on procedure in light of the ongoing trial in the above-referenced matter. Ms. Cavale informed Ms. Stevenson that she would speak with the Court immediately. Shortly thereafter, Ms. Cavale reported that the Court did not intend to set a briefing schedule and that we should simply prepare and file motion papers.

As Ms. Stevenson informed Ms. Cavale, we submit this letter to provide the Court with written notification of Ms. Morton's intent to move to withdraw her guilty plea in light of the applicable standard for such a motion, which evaluates, among other factors, the amount of time between the plea and the motion to withdraw. *See, e.g., United States v. Schmidt*, 373 F.3d 100, 102–03 (2d Cir. 2004) (noting that courts evaluate whether a “fair and just” reason for withdrawal exists by examining three factors: (1) whether the defendant asserts that she is innocent; (2) the time lapse between the plea and the motion to withdraw; and (3) whether the government would be prejudiced by withdrawal of the plea). We will prepare and file Ms. Morton's motion papers as soon as practicable.

\* \* \*

*Honorable Ronnie Abrams*  
*June 14, 2018*



We remain available at the Court's convenience to discuss this letter or any related issue.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE, LLP

BY: /s Gregory Morvillo  
Gregory Morvillo